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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके ।
Separate paging is given to this Part in order that it may be filed as a separate compilation

LOK SABHA

The following Bill was introduced in Lok Sabha on the 29th March, 1985:—

BILL No. 58 OF 1985

A Bill further to amend the Constitution of India.

BE it enacted by Parliament in the Thirty-sixth Year of the Republic of India as follows:—

1. This Act may be called the Constitution (Amendment) Act, 1985. Short title.

2. After article 16 of the Constitution, the following new article shall be inserted, namely:— Insertion of new article 16A.

"16A. (1) All adult citizens shall have the right to work, that is the right to guaranteed employment and payment for their work in accordance with its quantity and quality, so as to ensure them adequate means of livelihood

(2) Where a citizen is not provided with work to enable him to earn his livelihood, the State shall render him assistance with unemployment allowance.

Amendment of article 19.

3. In article 19 of the Constitution, in clause (*1*), after sub-clause (*g*), the following new sub-clauses shall be added, namely:—

"(h) **to public assistance in case of old age, sickness and disablement, and in other cases of undeserved want;**

(*i*) to education upto such level as may be fixed by law.

Omission of article 41.

4. Article 41 of the Constitution shall be omitted.

STATEMENT OF OBJECTS AND REASONS

Article 41 of the Constitution provides that the State shall direct its citizens the right to work, to education and to public assistance in cases of employment, old age, sickness and disablement, and in other cases of undeserved want. This article has, however, not achieved its desired purpose.

Unemployment has assumed alarming proportions. In a Welfare State, it is the duty of the Government to provide work for all its citizens, failing to procure adequate means of livelihood to any of its citizens, the State should render assistance to them in the form of unemployment allowance.

The ambit of article 19 has to be extended to ensure for our citizens freedom from want and illiteracy. Provision for relief in case of undeserved want is a common feature of modern States and in many other countries much progress has been made in this direction. In spite of the directive principles, nothing substantial has been done till now.

The Bill seeks to achieve the above objectives.

NEW DELHI;
January 23, 1985.

G. M. BANATWALLA

FINANCIAL MEMORANDUM

Clause 2 of the Bill provides for rendering assistance to unemployed citizens in the form of unemployment allowance.

Clause 3 of the Bill provides for public assistance in cases of old age, sickness and disablement, and in other cases of undeserved want.

The Bill, therefore, if enacted, will involve expenditure from the Consolidated Fund of India. It is difficult to make any precise estimate of expenditure. However, a recurring expenditure of rupees one hundred crores is likely to be involved per annum.

A non-recurring expenditure of rupees five lakhs is also likely to be involved.

SUBHASH C. KASHYAP,
Secretary-General.

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